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HOUSE BILL 1967 By
Fitzhugh

SENATE BILL 1998
By Leatherwood

AN ACT to amend Tennessee Code Annotated, Section 4-29-222 and Title 11, relative to creating the Mississippi Parkway Commission of Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 7, is amended by adding Sections 2 through 9 of this act as a new part.

SECTION 2. The general assembly finds that the corridor through which the Mississippi River flows contains nationally significant historic, economic, recreational, scenic, cultural, natural, and scientific resources, and that preserving, protecting, and enhancing such resources for the benefit of the state of Tennessee and improving the coordination between all levels of government in such corridor is of importance to the people of the state, and that in order to provide a means and a stimulus for coordinating the preservation, protection, enhancement, enjoyment, and use of the resources of the region the following provisions of law are hereby enacted.

SECTION 3. There is hereby created the "Mississippi River Parkway Commission of Tennessee," hereinafter referred to as the "commission." The commission shall serve as the local coordinating agency for the development of the Great River Road along the Mississippi River from Canada to the Gulf of Mexico. For administrative purposes only, the commission shall be attached to the department of transportation.

SECTION 4. (a) The commission shall consist of the following eight (8) members:

(1) One (1) member from each of the counties of Lake, Dyer, Tipton and Lauderdale;

(2) Two (2) members from the county of Shelby;

(3) One (1) member from the Senate; and

(4) One (1) member from the House of Representatives.

(b) Each member under subdivisions (1) and (2) of subsection (a) shall be eighteen (18) years of age or older, a resident of the county from which the member is selected, and appointed by the governor and confirmed by joint resolution of the general assembly prior to beginning such member's term of office. In making appointments to the commission, the governor shall strive to ensure that at least one (1) person serving on the commission is sixty (60) years of age or older and that at least one (1) person serving on the commission is a member of a racial minority. At least two (2) people serving on the commission shall be female.

(c) The legislative members under subdivisions (3) and (4) of subsection (a) shall be appointed by their respective speakers. Each such appointment shall be for a term of up to two (2) years to run concurrent with the duration of the current general assembly. To the extent practicable, legislative members shall represent counties which are adjacent to the Mississippi River.

(d) Of the six (6) members originally appointed to the commission pursuant to subdivisions (1) and (2) of subsection (a), three (3) members shall serve for two (2) years and three members (3) shall serve for four (4) years. The terms shall be drawn by lot at the first meeting of the commission. Upon the expiration of such terms, appointments thereafter shall be for a period of four (4) years and until their respective successors in office have been appointed and confirmed.

(e) The commissioners of the departments of economic and community development, environment and conservation, tourist development, and transportation, or their respective designees, shall serve as non-voting exofficio members of the commission.

(f) A member shall serve no more than two (2) consecutive terms. Initial appointments shall be made and confirmed by June 1, 1999, and members shall serve until July 1 of the year in which their term expires. The position of any member shall become vacant when such member misses, without cause, more than two (2) consecutive meetings of the commission. Cause shall be determined by the commission. Vacancies in membership of the commission shall be filled in the same manner and by the same authority as the original appointments. Any vacancy among the members appointed by the governor shall be filled for the balance of the unexpired term by the governor as soon as practicable. If the general assembly is not in session at the time a member is appointed by the governor to fill a vacancy resulting from the expiration of the term of a member of the commission appointed by the governor, the member of the commission whose term has expired shall serve until a newly appointed member is confirmed as provided herein. The Mississippi River Parkway Commission, hereinafter referred to as the "national commission," shall be notified of all appointments and shall be given the names and addresses of the appointed members.

SECTION 5. The commission shall meet quarterly at such time and place as designated by the commission or the chairperson thereof, but the chairperson shall call a regular meeting at least four (4) times per year. The chairperson may also call, as necessary, up to four (4) special meetings per year. The first meeting shall be called by the commissioner of transportation within sixty (60) days after the appointment and confirmation of the members. The department of transportation shall provide the commission with suitable meeting space and any necessary clerical and technical assistance.

SECTION 6. (a) The members of the commission shall receive no compensation for their services as members of such commission, except that they shall be paid their actual and necessary traveling expense for four (4) regular meetings each year and not more than four (4) called meetings during any one (1) year. They shall also be paid their actual and necessary travel expenses for attending to other commission business approved by the chairperson.

(b) All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 7. The commission shall elect its own chairperson from among its members.

The commission chairperson shall:

(1) Be the sole voting representative of this state at meetings of the national commission;

(2) Report to the commission on the activities of the national commission; and

(3) Serve as commission secretary, designate a member of the commission to serve as commission secretary or require an election by the commission of a commission secretary from among its members.

(4) Notify the members of meetings of the commission and keep a record of its proceedings, or delegate these responsibilities to the commission secretary.

SECTION 8. The commission shall:

(1) Assist in coordinating the development and preservation of highways and amenities along the Great River Road in Tennessee and its embellishments, such as scenic easements, roadside parks, and scenic overlooks;

(2) Assist other state and local agencies in efforts to create a unified development of the Great River Road in Tennessee;

(3) Cooperate with similar committees or commissions in other states and Canadian provinces in the furtherance of the development of the Great River Road from Canada to the Gulf;

(4) Assist in promoting, as an attractive travel destination, the Mississippi River and the Great River Road in Tennessee and the unique scenic, historic, cultural, recreational and archeological features along the route; and

(5) Cooperate with the federal government and the national commission.

SECTION 9. The departments and agencies of this state shall, within existing appropriations and to the best of their respective abilities, cooperate with the commission in the execution of its functions.

SECTION 10. Tennessee Code Annotated, Section 4-29-222(a), is amended by adding a new item thereto, as follows:

() Mississippi River Parkway Commission of Tennessee;

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.